

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

JUAN M. SOLIZ	§	
REG. NO. 50095179	§	
	§	
VS.	§	C.A. NO. C-06-378
	§	
CORPUS CHRISTI POLICE DEPT.	§	

**ORDER FOR SERVICE OF PROCESS**

1. The Clerk of the Court shall issue summons and the U.S. Marshal shall serve copies of the complaint (D.E. 1), Order Retaining Case, and this Order on the **City Attorney, City of Corpus Christi Legal Department, P.O. Box 9277, Corpus Christi, Texas, 78469-9277**. It is further ordered that the City Attorney will attempt to identify the individual John Doe defendants, and pursuant to the City's policy, will either obtain authority to represent the individual defendants within forty-five (45) days after receipt of this Order, or file within the same time period with this Court a statement identifying the individual defendants along with their addresses, executed by an authorized agent of the Corpus Christi Police Department ("CCPD"): **Officer John Doe 1; Officer John Doe 2; Officer John Doe 3 and Officer John Doe 4**. As stated in plaintiff's attached original complaint, defendants are alleged to have worked as police officers for CCPD, to have been on duty the night of August 27, 2004, and to have responded to a domestic disturbance call involving plaintiff, Juan M. Soliz, and his girlfriend "Candy." An incident occurred later that evening that lead to plaintiff's right femur being fractured. Internal Affairs investigated the incident the next day. The affidavit may be filed ex parte and sealed subject to a motion to unseal for good cause

by plaintiff. In addition to the individual defendants, the City of Corpus Christi is named as a defendant in this action.

2. Defendants shall file an answer within forty-five (45) days of receipt of the complaint.

3. It is further ordered that each party shall serve the other party or counsel for the other party with a copy of every pleading, motion, or other paper submitted to the Court for consideration. Service shall be by mail to the other party. Every pleading, motion, or other document filed with the Clerk of the Court shall be signed by at least one attorney of record in his individual name, whose address shall be stated, or if the party is proceeding *pro se*, by said party, with address likewise stated. In the case of the *pro se* party, only signature by the *pro se* party will be accepted. If a layman signs a pleading, motion, or other document on behalf of the *pro se* party, it will not be considered by the Court.

4. Furthermore, every pleading, motion, or other document shall include on the original a signed certificate stating the date a true and correct copy of the pleading, motion, or document was mailed and to whom mailed. Failure to mail a copy thereof as certified by the certificate will subject that party to sanctions by the Court. Sanctions may include, but are not limited to, automatic striking of the pleading, motion, monetary sanctions, striking of affirmative defenses, or dismissal for want of prosecution.

5. The defendants shall file, in their answer or in a separate pleading, a statement that all defendants consent, or all defendants do not consent, to the jurisdiction of a United

States Magistrate Judge. Consent may be freely withheld without adverse consequences. 28 U.S.C. § 636.

6. There will be no direct communication with the United States District Judge or Magistrate Judge. Communications must be submitted to the Clerk of the Court with copies to the other party. See FED. R. CIV. P. 5(a) and 11.

ORDERED this 7<sup>th</sup> day of November, 2006.

  
B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE